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Practitioner's Docket No. 67,200-1258

JAN 12 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chen et al.

Group Art Unit: 2826

Serial No.: 10/809,974

Examiner: T.N. Quach

Filed: 03/26/2004

In Response to Office Action  
Dated: 10/20/05For: HIGH-K GATE DIELECTRIC STACK WITH BUFFER LAYER TO IMPROVE  
THRESHOLD VOLTAGE CHARACTERISTICS

Attorney Docket No.: 67,200-1258

Mail Stop: Appeal  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed October 20, 2005, finally rejecting Claims 22-42.

The item(s) checked below are appropriate:

## 1. STATUS OF APPLICANT

This application is on behalf of

other than a small entity.  
 a small entity.  
A verified statement  
 is attached.  
 was already filed on \_\_\_\_\_.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is:

small entity \$250.00  
 other than a small entity \$500.00

Notice of Appeal fee due: \$ 500.00

01/13/2006 TL0111 00000038 10809974

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500.00 0P

CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is (1)  being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 on January 12, 2006; or (2)  being facsimile transmitted to the United States Patent and Trademark Office at facsimile number (571)-273-8300 on January 12, 2006.

Randy W. Tung  
Printed Name



Signature

1/12/06

Date

## 3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of §1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a)  Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$225.00
<input type="checkbox"/>	three months	\$ 1,020.00	\$510.00
<input type="checkbox"/>	four months	\$ 1,590.00	\$795.00

Fee \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for \_\_\_\_\_ months has already been secured. The fee paid therefore of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.  
Extension fee due with this request \$\_\_\_\_\_

or

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## 4. TOTAL FEE DUE

The total fee due is: \$ 500.00  
Notice of Appeal fee \$ 500.00  
Extension fee (if any)\$ 0.00

TOTAL FEE DUE: \$ 500.00

## 5. FEE PAYMENT

Attached is a Credit Card Payment Form in the sum of \$500.00.  
 The Commissioner is hereby authorized to charge Deposit Account No,  
\_\_\_\_\_ in the amount of \$0.00.

A duplicate copy of this transmittal is attached.

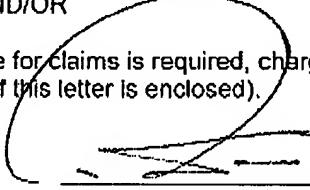
## 6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O. G. 31-33.

If any additional extension and/or fee is required, charge Deposit Account No.  
05-0484  
(a duplicate copy of this letter is enclosed).

AND/OR

If any additional fee for claims is required, charge Account No. 05-0484.  
(a duplicate copy of this letter is enclosed).



Signature of Practitioner  
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Reg. No. 31,311